AMENDMENTS TO THE CLAIMS

Additions to the claims are indicated with **underlined bold** text, while deletions to the claims are indicated with ~~**bold strikethrough**~~ text.

1. (Currently Amended) A swallowing-assistive drink for assisting an individual in swallowing a medication, the swallowing-assistive drink comprising:

water and an adhesive paste which form a viscous liquid having a viscosity in the range of from 1,000-25,000 cP at 20°C; and

a medicine enwrapped in the viscous liquid**;**

wherein said swallowing-assistive drink has been packaged in a prepared form in the absence of a medication prior to enwrapping the medicine.

2. (Original) The swallowing-assistive drink of claim 1 wherein the adhesive paste is at least one selected from the group consisting of agar, carrageenan, gellan gum, furcellaran, gelatin, pectin, curdlan, locust bean gum, tara gum, guar gum, xanthan gum, arginic acid, arginic acid salt, azotobacter vinelandi gum, cassia gum, psyllium seed gum, tamarind gum, CMCNa, CMCCa, whey protein starch and modified starch.

3. (Original) The swallowing-assistive drink of claim 1 wherein the swallowing-assistive drink contains in the range of from 0.1-5.0 wt % adhesive paste and in the range of from 80.0-99.9 wt % water.

4. (Original) The swallowing-assistive drink` of claim 1 wherein the medicine is at least one of a tablet, a capsule, a granule, and powder.

5. (Original) The swallowing-assistive drink of claim 1 wherein the medicine is a mixture of solid formulations and at least one of granules and powder.

6. (Currently Amended) A swallowing-assistive drink for helping an individual swallow a medication, the swallowing-assistive drink comprising:

water and an adhesive paste which forms a gelatinoid having a gel strength in the range of from 10-100 g/cm^2 at 20°C; and

a medicine enwrapped in the gelatinoid**;**

wherein said swallowing-assistive drink is packaged in a prepared form in the absence of a medication prior to enwrapping the medicine.

7. (Original) The swallowing-assistive drink of claim 6 wherein the adhesive paste is at least one selected from the group consisting of agar, carrageenan, gellan gum, furcellaran, gelatin, pectin, curdlan, locust bean gum, tara gum, guar gum, xanthan gum, arginic acid, arginic acid salt, azotobacter vinelandi gum, cassia gum, psyllium seed gum, tamarind gum, CMCNa, CMCCa, whey protein starch and modified starch.

8. (Original) The swallowing-assistive drink of claim 6 wherein the swallowing-assistive drink contains in the range of from 0.1-5.0 wt % adhesive paste and in the range of from 80.0-99.9 wt % water.

9. (Original) The swallowing-assistive drink of claim 6 wherein the medicine is at least one of a tablet, a capsule, a granule, and powder.

10. (Original) The swallowing-assistive drink of claim 6 wherein the medicine is a mixture of solid formulations and at least one of granules and powder.

11. (Currently Amended) A method for assisting an individual in taking a medicine by swallowing the medicine, the method comprising the steps of:

(a) providing a swallowing-assistive drink **in a prepared form** containing water and an adhesive paste which forms a viscous liquid having a viscosity in the range of from 1,000-25,000 cP at 20°C; and

(b) enwrapping the medicine in the viscous liquid.

12. (Original) The method of claim 11 wherein step (b) comprises enwrapping at least one of a tablet, a capsule, a granule, and powder in the viscous liquid.

13. (Currently Amended) A method for assisting an individual in taking a medicine by swallowing the medicine, the method comprising the steps of:

(a) providing a swallowing-assistive drink **in a prepared form** containing water and an adhesive paste which forms a gelatinoid having a gel strength in the range of from 10-100 g/cm^2 at 20°C; and

(b) enwrapping the medicine in the gelatinoid.

14. (Original) The method of claim 13 wherein step (b) comprises enwrapping at least one of a tablet, a capsule, a granule, and powder in the gelatinoid.

15. (Currently Amended) A method for taking a medication, comprising the steps of:

providing a viscous swallowing-assistive material in prepared form, wherein the swallowing-assistive material has a viscosity of 1,000-25,000 cP at 20°C;

combining the swallowing-assistive material with a medicine;

wherein the medicine is enwrapped within the swallowing-assistive material; and

swallowing the combination ~~**immediately after**~~ **in conjunction with** the combining step.

16. (Previously Presented) The method of Claim 15 wherein the medicine is at least one of a tablet, a capsule, a granule, and powder.

17. (Currently Amended) A method for taking a medication, comprising the steps of:

providing a viscous swallowing-assistive material in prepared form, wherein the swallowing-assistive material has a gel strength of 10-100 g/cm^2 at 20°C;

combining the swallowing-assistive material with a medicine;

wherein the medicine is enwrapped within the swallowing-assistive material; and

swallowing the combination ~~**immediately after**~~ **in conjunction with** the combining step.

18. (Previously Presented) The method of Claim 17 wherein the medicine is at least one of a tablet, a capsule, a granule, and powder.

19. (Currently Amended) A method for swallowing a solid material, comprising the steps of:

providing a viscous swallowing-assistive material in prepared form, wherein the swallowing-assistive material has a viscosity of 1,000-25,000 cP at 20°C;

combining the swallowing-assistive material with the solid material;

wherein the solid material is enwrapped within the swallowing-assistive material; and

swallowing the combination ~~**immediately after**~~ **in conjunction with** the combining step.

20. (Currently Amended) A method for swallowing a solid material, comprising the steps of:

providing a viscous swallowing-assistive material in prepared form, wherein the swallowing-assistive material has a gel strength of 10-100 g/cm^2 at 20°C;

combining the swallowing-assistive material with the solid material;

wherein the solid material is enwrapped within the swallowing-assistive material; and

swallowing the combination ~~**immediately**~~ ~~**after**~~ **in conjunction with** the combining step.

21. (Previously Presented) A swallowing-assistive material suitable for combining with a medicine, comprising:

water; and

one or more of the following viscosity building agents: agar, carrageenan, gellan gum, furcellaran, gelatin, pectin, curdlan, locust bean gum, tara gum, guar gum, xanthan gum, arginic acid, arginic acid salt, azotobacter vinelandi gum, cassia gum, psyllium seed gum, tamarind gum, CMCNa, CMCCa, whey protein starch and modified starch;

wherein said swallowing-assistive material is in a prepared form uncombined with a medicine, and comprises a viscous liquid having a viscosity in the range of from 1,000-25,000 cP at 20°C.

22. (Previously Presented) The swallowing-assistive material of claim 19 wherein the swallowing-assistive material comprises 0.1-5.0 wt % viscosity building agent and 80.0-99.9 wt % water.

23. (Previously Presented) A swallowing-assistive material suitable for combining with a medicine, comprising:

water; and

one or more of the following viscosity building agents: agar, carrageenan, gellan gum, furcellaran, gelatin, pectin, curdlan, locust bean gum, tara gum, guar gum, xanthan gum, arginic acid, arginic acid salt, azotobacter vinelandi gum, cassia gum, psyllium seed gum, tamarind gum, CMCNa, CMCCa, whey protein starch and modified starch;

wherein said swallowing-assistive material is in a prepared form uncombined with medicine and comprises a viscous liquid having a gel strength of 10-100 g/cm^2 at 20°C.

24. (Previously Presented) The swallowing-assistive material of claim 21 wherein the swallowing-assistive material comprises 0.1-5.0 wt % viscosity building agent and 80.0-99.9 wt % water.

SUMMARY OF INTERVIEW

A telephone interview was conducted in this case on June 30, 2004 between Examiner Robert Joynes and the Applicants' representative, Ned A. Israelsen, with a brief follow-up call on July 1, 2004. The undersigned is deeply appreciative of the courtesy extended by Examiner Joynes in preparing for and participating in this interview, and for the progress that was made as a result of his helpful interaction. Pending Claims 1-24 were discussed during the interview.

The Rejections under 35 U.S.C. 251 and 35 U.S.C. 112, first paragraph

Applicants pointed out support for the claim limitations "swallowing the combination immediately after the combining step" and "solid material" that had been rejected under (1) 35 U.S.C. 251 as being based upon new matter; and (2) 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement. Applicants' arguments are more fully set forth below. With respect to the claim limitation "swallowing the combination immediately after the combining step" the Examiner maintained his objections to the limitation based on absence of literal support for the term "immediately." The Examiner agreed that the term "solid material" is supported by the application and agreed to withdraw the objections to this term.

The §103(a) Rejection of Claims 1-24 over Speck et al

Applicants discussed with the Examiner the differences between Speck et al. (U.S. Patent No. 5,010,061) and Claims 1-24. Applicants' arguments are more fully set forth below. Subject to additional search and review, the Examiner agreed that the "prepared form" limitation in Claims 15, 17, 19-21 and 23 distinguished the claims over Speck et al. as Speck disclosed fluid suspensions of guar flour that remained drinkable only for a relatively short period of time, which could not practically be supplied to the end user in an already-prepared form, ready for combination with a solid material or medicine. See Speck, col. 3, lines 3-16 and examples 1-7. Applicants proposed to add related limitations to the remaining independent claims to overcome the obviousness rejection over Speck et al.

Results of Interview

The Examiner agreed that the term "solid material" is supported by the application and agreed to withdraw the objections to this term. The Examiner agreed that based on the current search, the "prepared form" limitation of Claims 15, 17, 19-21 and 23 distinguished the claims from the prior art and overcame the present obviousness rejection of these claims and their dependent claims.